

REMARKS

Claims 1-3 and 5-45 are pending. Claims 4 and 20 are currently canceled. Claims 21 to 45 have been withdrawn from consideration. No claims are currently amended. No claims have been added. Reconsideration of the application is requested.

Amendments to the specification.

The amendment submitted on 8/28/2007 to page 31 of the specification is objected to under § 132(a) as introducing new matter. Applicants request reconsideration and entry of the amendment.

The amendment was submitted to update the cited references with the corresponding issued U.S. patent numbers. U.S. 6,528,343 (Lucast et al.) claims priority to the cited PCT 99/13866. U.S. 6,441,092 (Gieselman) claims priority to the cited PCT 99/13865. U.S. 6,461,467 (Blatchford et al.) is the issued patent equivalent to the cited U.S. Pub. 2001/0051178. As the originally cited documents and the issued U.S. patents are equivalent, no new matter is introduced.

§ 112 Rejections

Claims 4 and 20 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

In response, claims 4 and 20 have been cancelled.

Double Patenting Rejections

Claims 1-3 and 6-19 stand rejected under the judicially-created doctrine of obviousness-type double patenting over claims 1-23 of U.S. 7,074,839.

In response, enclosed is a "Terminal Disclaimer Under 37 C.F.R. Section 1.321(b)," which disclaims the portion of the term of any patent granted on the instant application that would extend beyond the expiration date of the term of U.S. 7,074,839. The Disclaimer also indicates that 3M Innovative Properties Company commonly owns the instant application and U.S. 7,074,839 by virtue of assignments recorded at Reel 014800, Frame 0077, on 12/10/2003 for the instant application, and at Reel 15040, Frame 666 on March 1, 2004 for 7,074,839. The

Disclaimer further indicates that the chain of title of the instant application has been examined in order to comply with 37 C.F.R. Section 3.73(b).

Since under 37 C.F.R. Section 1.78(d) a terminal disclaimer in compliance with 37 C.F.R. Section 1.321(b) can be used to overcome a non-statutory double patenting rejection, Applicants respectfully request that the double patenting rejection be withdrawn.

Claims 1-3 and 6-19 stand rejected under the judicially-created doctrine of obviousness-type double patenting over claims 1-34 of U.S. Application 10/792,238.

In response, enclosed is a "Terminal Disclaimer Under 37 C.F.R. Section 1.321(b)," which disclaims the portion of the term of any patent granted on the instant application that would extend beyond the expiration date of the term of U.S. 10/792,238. The Disclaimer also indicates that 3M Innovative Properties Company commonly owns the instant application and U.S. 10/792,238 by virtue of assignments recorded at Reel 014800, Frame 0077, on 12/10/2003 for the instant application, and at Reel 015047, Frame 0177, on March 2, 2004 for 10/792,238. The Disclaimer further indicates that the chain of title of the instant application has been examined in order to comply with 37 C.F.R. Section 3.73(b).

Since under 37 C.F.R. Section 1.78(d) a terminal disclaimer in compliance with 37 C.F.R. Section 1.321(b) can be used to overcome a non-statutory double patenting rejection, Applicants respectfully request that the double patenting rejection be withdrawn.

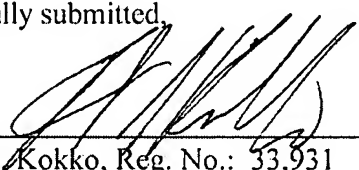
In view of the above, it is submitted that the application is in condition for allowance. Examination and reconsideration of the application as amended is requested. As all ground of rejection have been overcome and claim 1 is believed to be allowable, Applicants request rejoinder of process claims 21-40 and article claims 41-45 under the procedures of M.P.E.P. 821.04.

Respectfully submitted,

November 27, 2007

Date

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833

By: 

Kent S. Kokko, Reg. No.: 33,931
Telephone No.: 651-733-3597